

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DANIELLE LEE and BEN LEE,

Plaintiffs,

v.

RITE AID CORPORATION and
THRIFTY PAYLESS, INC.,

Defendants.

NO: 12-CV-0080-TOR

ORDER GRANTING SUMMARY
JUDGMENT ON PLAINTIFFS' FMLA
AND WFLA CLAIMS

BEFORE THE COURT is Defendants' Motion for Summary Judgment on Plaintiffs' claims for violations of the Family Medical Leave Act ("FMLA") and the Washington Family Leave Act ("WFLA") (ECF No. 21). This matter was heard without oral argument on August 30, 2012. Pursuant to the parties' stipulation, the court will grant summary judgment in favor of Defendants on Plaintiffs' FMLA and WFLA claims.

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DISCUSSION

Plaintiff Danielle Lee and her husband, Ben Lee, have sued Defendants for various causes of action arising from the termination of Ms. Lee's employment as a pharmacist. On August 8, 2012, Defendants moved for summary judgment on Plaintiffs' FMLA and WFLA claims, arguing that Ms. Lee did not meet the statutory definition of an "eligible employee" under the FMLA or the definition of an "employee" under the WFLA. On August 29, 2012, the parties agreed that Ms. Lee was neither an "eligible employee" nor an "employee" and stipulated to summary judgment in Defendants' favor on Plaintiffs' FMLA and WFLA claims. Pursuant to this stipulation, the court hereby grants Defendants' motion for summary judgment.

ACCORDINGLY, IT IS HEREBY ORDERED:

Defendants' Motion for Summary Judgment (ECF No. 21) is **GRANTED**. Plaintiffs' FMLA and WFLA claims are **DISMISSED** with prejudice.

The District Court Executive is hereby directed to enter this Order and provide copies to counsel.

DATED this 30th day of August, 2012.

s/ Thomas O. Rice

THOMAS O. RICE
United States District Judge